

REGIONAL MANAGEMENT INC.

HB 1023 -Real Property- Residential Leases-Procedures for Failure to Pay Rent, Breach of Lease and Tenant Holding Over Testimony of Regional Management, Inc.- Unfavorable

February 24, 2023

Regional Management, Inc, (RMI) is a property management company which has, for over 60 years, managed over 5,000 units of affordable, market rate, residential properties in Baltimore City and County. RMI is a founding member of the Maryland MultiHousing Association.

House Bill 1023 attempts to codify a recent ruling made by the United States District Court for the District of Maryland in Todman v. The Mayor and City Council of Baltimore. The case, which began as a Tenant Holding Over matter, resulted in the expansion of a local Baltimore City law governing the disposition of eviction chattels in Failure to Pay Rent (FTPR) evictions, to include Tenant Holding Over evictions as well.

RMI opposes this Bill for the following reasons:

1. It is premature to promulgate legislation based upon the Todman case since it is currently on appeal to the 4th Circuit Court of Appeals. This is an Appeal of Right, which means that the appellate court must hear the case. Given the differences between the rights of tenants in FTPR cases versus those in Tenant Holding Over cases it is highly possible that the lower court decision will be over-turned or modified.
2. This Bill as drawn, expands the Todman holding to Breach of Lease matters, which were never a part of the Todman case, and are vastly different from Tenant Holding Over matters. Thus, under no circumstance is there justification for any change to Maryland's current Breach of Lease law.
3. Over the last 3-4 years Landlords, Tenant organizations and Sheriff's representatives have discussed legislation regarding the disposition of FTPR eviction chattels and have not yet found a solution acceptable to all stakeholders. RMI suggests that after the Todman case is finally resolved that we begin exploring this matter again.

Respectfully Submitted,

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